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STATUTORY INSTRUMENTS

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**2007 No. 2263**

**The Education (Student Fees, Awards and Support) (Amendment) (No. 2) Regulations 2007**

**PART 2**

**AMENDMENTS TO THE FEES REGULATIONS**

**Amendment of regulation 2 of the Fees Regulations**

**6.** In regulation 2 of the Fees Regulations—

- (a) in paragraph (4) for “European Economic Area, Switzerland and Turkey”, substitute “European Economic Area, Switzerland, Turkey and the overseas territories”;
- (b) after paragraph (7), insert—

“(8) For the purposes of these Regulations a person who is ordinarily resident in the United Kingdom as a result of having moved from the Islands for the purpose of undertaking a course is to be considered to be ordinarily resident in the Islands.”.

**Amendment of Schedule 1 to the Fees Regulations**

**7.** In Schedule 1 to the Fees Regulations—

- (a) in paragraph 3(d) for “European Economic Area and Switzerland”, substitute “European Economic Area, Switzerland and the overseas territories”;
- (b) for paragraph 6, substitute—

“**6.**—(1) A person who—

- (a) is—
  - (i) an EEA migrant worker or an EEA self-employed person;
  - (ii) a Swiss employed person or a Swiss self-employed person;
  - (iii) a family member of a person mentioned in paragraph (i) or (ii);
  - (iv) an EEA frontier worker or an EEA frontier self-employed person;
  - (v) a Swiss frontier employed person or a Swiss frontier self-employed person; or
  - (vi) a family member of a person mentioned in paragraph (iv) or (v);
- (b) subject to sub-paragraph (2), is ordinarily resident in the United Kingdom on the first day of the first academic year of the course; and
- (c) has been ordinarily resident in the territory comprising the European Economic Area, Switzerland and the overseas territories throughout the three-year period preceding the first day of the first academic year of the course.

- (2) Paragraph (b) of sub-paragraph (1) does not apply where the person falls within paragraph (a)(iv), (v) or (vi) of that sub-paragraph.”;
- (c) in paragraph 7(b) for “European Economic Area and Switzerland”, substitute “European Economic Area, Switzerland and the overseas territories”;
- (d) in paragraph 8(1)(d) for “European Economic Area and Switzerland”, substitute “European Economic Area, Switzerland and the overseas territories”;
- (e) in paragraph 9(1)—
  - (i) for paragraph (c), substitute—
    - “(c) has been ordinarily resident in the territory comprising the European Economic Area, Switzerland and the overseas territories throughout the three-year period preceding the first day of the first academic year of the course; and”;
  - (ii) omit paragraph (d);
  - (iii) in paragraph (e) for “paragraphs (c) and (d)”, substitute “paragraph (c)”;
- (f) in paragraph 10(1)(d) for “European Economic Area and Switzerland”, substitute “European Economic Area, Switzerland and the overseas territories”;
- (g) in paragraph 11(c) for “European Economic Area and Switzerland”, substitute “European Economic Area, Switzerland and the overseas territories”;
- (h) in paragraph 12(c) for “European Economic Area, Switzerland and Turkey”, substitute “European Economic Area, Switzerland, Turkey and the overseas territories”.